APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,826	12/07/2000	Natascha Kearsey	19111.0045	8609

7590   05/28/2004

Edward A. Pennington
SWIDLER BERLIN SHEREFF FRIEDMAN, L.L.P.
3000 K Street, N.W., Suite 300
Washington, DC 20007-5166

EXAMINER
RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)
Office Action Summary	09/730,826		KEARSEY ET AL.
	Examiner		**Art Unit**
	Sam Rimell		2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-15_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-15_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

Preliminary Note: (1) This office action incorporates new grounds of rejection which incorporate prior art which was not previously of record. Accordingly, this office action is made non-final.

(2) Examiner acknowledges the receipt of the Information Disclosure Statement of March 15, 2004, which is compliant with the requirement under 37 CFR 1.104. The copies of the references are cited on the attached Examiner's form PTO 892.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Witkowski et al. (U.S. Patent 6,345,272).

Claim 1:   Reference is made to FIG. 2, and its associated discussion at col. 3, line 66 through col. 4, line 30.

Fig. 2 illustrates both queries and data within a database. The database includes two detail tables. The first table is the "Table Sales" 250. The second table is the summary table called "Sum_Sales" created by the query 270. A computer processor will inherently process queries on the tables.

In the operation of the system of FIG. 2, the processor will receive the first query 210. The input is analyzed and a determination is made to create the second query 280, which requires a joining of the data in the two tables (table 250 and the summary table called "Sum_Sales"). Both the first and second queries involve aggregation steps (the function "SUM").

The processor modifies the first query (210) to create the second query (280).

Within the second query (280), an aggregation step is performed on each of the two tables. The aggregation step "SUM ($AMT)" in the subquery 270 performs an aggregation on the $AMT column of the first table 250. This creates the second table "Sum_Sales". The second table is then introduced into the modified query (280) and the aggregation step SUM (SUM_SALES) is then performed on the "region" column of the second table. Thus, the second query performs aggregations steps on two different tables.

The aggregated data from the two tables are then joined into a single table in the query (280). The single resulting table will list each region and the total sales within that region for the calendar year 1998.

Claim 2: The second query (280) will aggregate data from two different tables. The SUM function performs the aggregation. SUM ($AMT) performs the first aggregation in the subquery (270). SUM (SUM_SALES) performs the second aggregation on the second table.

Claim 3: The generation of the table SUM_SALES is considered an in-line view. The data location which stores that view is readable as a "complex folder".

Claim 4: The aggregation steps are summations of data.

Claim 5: The processor which processes the queries inherently includes an input device, such as a keyboard. Otherwise, no query could be generated.

Claim 6: The list of possible items are created by the SELECT functions in each of the queries (210) and (280). The actions performed are the individual commands with the queries, such as the command to perform a summation function ("SUM").

Claim 7: Each of the queries (210) and (280) are SQL standard queries using SQL language. Commands such as SELECT and SUM are standard SQL commands.

Claim 8: Query (280) requires two aggregation steps on two different tables. The first aggregation step occurs in the subquery (270) on table (250). The aggregation command is "SUM ($AMT)". The second aggregation step occurs in the query (280) on the summary table SUM_SALES. The aggregation command is "SUM (SUM_SALES)".

Claim 9: See remarks for claim 1. The database processor and the processor of the query are the same processor.

Claim 10: The database processor and the processor of the query are the same.

Claim 11: See remarks for claim 2.

Claim 12: See remarks for claim 3.

Claim 13: See remarks for claim 4.

Claim 14: See remarks for claim 5.

Claim 15: See remarks for claim 6.

Remarks

Applicant's arguments and amendments have overcome the previous grounds of rejection involving the reference to Dalal. This action is a new grounds of rejection and is made non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at

telephone number (703) 306-5626.

Sam   Rimell
Primary Examiner
Art Unit 2175